IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4208 OF 1998

Shri Rajaram Shambu Pednekar ... . Petitioner.
V/s
The Mira Bhayandar Mun. Council & Ors.. .... Respondents

None for the petitioner.

CORAM: V.G. PALSHIKAR, Ag. C.J.
AND
D.B.BHOSALE, J.

22.11.2005.

PC:

By this petition the petitioner has made the following prayers:

"(a) This Hon'ble Court be pleased to issue writ of mandamus or a writ in the nature of mandamus or any other appropriate writ, order or direction under Article 226 of the Constitution of India forthwith directing:

(i) Respondents No.1 and 2 to reconstruct the said House as it existed on 13th January 1998 at their own costs.

(ii) Respondents to make payment of compensation of Rs.1 lacs to the Petitioner with interest thereon at 18% per annum from 13th July 1998 till the date of payment.

(b) During the pendency and til final disposal of this petition, the respondents No.1 and 2 be directed to forthwith re-erect the said House which was demolished on 13th July, 1998 at the cost of the Respondent No.1.

(c) The petitioner be granted such other and further reliefs as may be found necessary in the facts and circumstances of the case and in the interest of justice.

(d) The costs of this petition may kindly be awarded to the Petitioner."

A writ petition for such prayers can never be maintained only appropriate remedy being Civil Suit for such reliefs. Hence writ petition is dismissed.